CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 95-192

RESCISSION OF SITE CLEANUP REQUIREMENTS FOR:

360 NORTH PASTORIA ENVIRONMENTAL CORPORATION, EASTMAN KODAK COMPANY, VERBATIM CORPORATION, AND AETNA LIFE INSURANCE COMPANY

for the property located at the

360 NORTH PASTORIA AVENUE FACILITY SUNNYVALE, SANTA CLARA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board), finds that:

Site Description

1. The Verbatim Corporation (Verbatim) manufacturing facility which is located at 360 North Pastoria Avenue in Sunnyvale, Santa Clara County is surrounded by light industrial and commercial development. The facility is bounded on the west by North Pastoria Avenue, on the south by Anacomp, Incorporated, on the east by Soquel Way, on the north by 380 North Pastoria, and on the northeast by the building located at 433 North Mathilda Avenue, previously occupied by the Data General Corporation.

Site History

2. Verbatim has been manufacturing magnetic storage media at this facility since 1975 when the facility's buildings were constructed. Prior to Verbatim's occupation of the facility's buildings, the land was used for farming. The Eastman Kodak Company (Kodak) acquired Verbatim in 1984 and divested the company in May 1990. Since May 1990, Verbatim has been a wholly owned subsidiary of Mitsubishi-Kasei of Tokyo, Japan. As part of Kodak's sale of Verbatim to Mitsubishi-Kasei in 1990 Kodak assumed responsibility for soil and groundwater cleanup at the Verbatim facility. A separate corporation, 360 North Pastoria Environmental Corporation (NPEC) was formed by Kodak to assume the responsibility of conducting environmental remediation at the Verbatim facility.

3. In 1984 Tetrahydrofuran (THF) was detected in two shallow wells in the area immediately south of Verbatim Building 3, at 360 North Pastoria Avenue. The source of the THF was found to be a faulty pump seal associated with one of the two 8,000-gallon underground storage tanks at the Verbatim facility. The maximum historic THF level in soil immediately downgradient of the former underground tank was 58,000 mg/Kg analyzed in July, 1987. The maximum THF level in groundwater was 200,000 mg/L analyzed in November, 1984. Through

operation of a soil vapor extraction and treatment system (VES) and a groundwater extraction and treatment system (GTS), THF levels in both environmental media have decreased dramatically over time. The most recent semi-annual soil boring event, conducted in February 1995, produced a maximum result of 310 mg/Kg THF. The most recent quarterly groundwater monitoring event, conducted in June 1995, produced a maximum result of 3.8 mg/L THF.

Regulatory History

4. The Verbatim facility has previously been regulated under the Board's Site Cleanup Requirements Order No. 87-034, adopted on April 15, 1987. On April 15, 1992, the Board adopted Site Cleanup Requirements Order No. 92-040 which rescinded and superseded Order No. 87-034. Order No. 92-040 was comprised of the final remedial action plan for the Verbatim facility.

Cleanup Standards

5. The toxicological properties of THF have not been formally reviewed by the U.S. EPA or the State of California and no Applicable or Relevant and Appropriate Requirements (ARARs) are currently available. THF is considered a non-carcinogen since it exhibits threshold effects. The Health and Environmental Laboratories of the Eastman Kodak Company conducted a literature review of available toxicological information concerning THF and an assessment of acceptable exposure levels for soil and groundwater in the following exposure scenarios: (a) direct residential exposure to THF in water, (b) direct residential exposure to THF in soil, and (c) potential exposure through secondarily-contaminated fish and shellfish. Additionally, NPEC conducted soil modeling to assess the potential impact the THF-affected soils have on the groundwater immediately downgradient of the THF tank area.

   Based on the assessed acceptable exposure levels and the soil modeling results, NPEC proposed for Board Order No. 92-040 THF cleanup standards of 1.0 mg/L for groundwater and 130 mg/Kg for soil. The proposed cleanup standards are acceptable as final cleanup standards in that they are protective of human health and the environment, and are well within the acceptable non-carcinogenic Hazard Index level of less than one.

Recommendation for Final Action

6. NPEC submitted a report titled *NPEC Revised Tetrahydrofuran Exposure Assessment*, dated August, 1995. The report was prompted by Board staff's recommendation to revise the assessment due to the original work being completed based on residential scenarios. The Verbatim facility is located in a light industrial and commercial area, therefore it is more appropriate that the assessment be conducted for the current and future use of the site. The objective of the report was to present the results of the revised health based levels for the site and move towards a timely closure. Given the results of this report and existing levels of THF in soil and groundwater there is no need for further remedial actions or groundwater monitoring. The case should be closed.

7. The monitoring wells should be destroyed. The discharger should produce a final letter report documenting that all the monitoring wells used at the site have been properly destroyed.

Basin Plan

8. The Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on December 17, 1986, and the State Board approved it on May 21, 1987. The Board has amended the Basin Plan several times since then. The Basin Plan contains water quality objectives and beneficial uses for South San Francisco Bay and contiguous surface and ground waters.

9. The existing and potential beneficial uses of the groundwater underlying and adjacent to the Verbatim facility include:

   a. Industrial process water supply,
   b. Industrial service water supply,
   c. Municipal and Domestic water supply, and
   d. Agricultural water supply.

Basis for Rescission of Order

10. The Board establishes the overall cleanup level for a water body based upon the most sensitive beneficial use identified. In all cases, the Board first considers high quality or naturally occurring "background" concentration objectives as the cleanup levels for polluted groundwater with a beneficial use of municipal and domestic supply, such as at this site.

11. The suggested revised health based levels presented in the NPEC Revised Tetrahydrofuran Exposure Assessment report are 4,500 mg/Kg for soil and 4,683 mg/L for groundwater. Current maximum levels are 310 mg/Kg for soil (February 1995) and 3.8 mg/L for groundwater (June 1995).

12. All known sources of contamination have been removed or mitigated. Groundwater contamination has decreased significantly over the ten year monitoring and remediation program and are now well below health based cleanup levels being both protective of human health and the environment.

13. Based on the above findings and in consideration of the reasonable protection of beneficial uses and maximum benefit to the people of the State pursuant to State Board Resolution 68-16, additional remediation and groundwater monitoring are not necessary.

14. Water Code Section 13263 requires the Board to review Waste Discharge Requirements periodically and modify them as necessary. Given that relevant water quality objectives are now met at the site, the Site Cleanup Requirements are no longer needed and should be rescinded.

CEQA

15. This action constitutes a minor modification to land and as such is categorically exempt from the provisions of the CEQA pursuant to Section 15321 of the Resources Agency Guidelines.

Notice

16. The Board has notified the dischargers and interested persons of its intent to rescind Site Cleanup Requirements for this site and has provided them with the opportunity for a public hearing and opportunity to submit their written views and recommendations.

17. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED, pursuant to Section 13263 of the California Water Code, that:

Order No. 92-040 is rescinded.

I, Dr. Lawrence P. Kolb, Acting Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on September 13, 1995.

Dr. Lawrence P. Kolb
Acting Executive Officer